

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

AVRAHAM GOLDSTEIN, et al.,

Plaintiffs,

-v-

PROFESSIONAL STAFF CONGRESS/CUNY, et al.,

Defendants.

22 Civ. 321 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

On April 20, 2022, defendants filed their motions to dismiss the complaint under Rule 12 of the Federal Rules of Civil Procedure. Dkts. 53, 56, 59. Under Rule 15(a)(1)(B), a plaintiff has 21 days after the service of a motion under Rule 12(b) to amend the complaint once as a matter of course.

Accordingly, it is hereby ORDERED that plaintiffs shall file any amended complaint by May 11, 2022. As directed in the Court's order of March 9, 2022, should plaintiffs amend their complaint, the parties will jointly propose a briefing schedule for defendants' motions to dismiss at that time. Dkt. 47. No further opportunities to amend will ordinarily be granted.

If plaintiffs do amend, by June 1, 2022—or at another date jointly proposed and approved by the Court—defendants shall each: (1) file an answer; (2) file a new motion to dismiss; or (3) submit a letter to the Court, copying plaintiffs, stating that they rely on their previously filed motions to dismiss.

It is further ORDERED that, per the briefing schedule, Dkt. 47, if no amended complaint is filed, plaintiffs shall serve any opposition to the motion to dismiss by May 24, 2022.

Defendants' replies, if any, shall be served by June 14, 2022.<sup>1</sup> At the time any reply is served, the moving party shall supply the Court with a courtesy copy of all motion papers by attaching them as PDF files to a single email addressed to EngelmayerNYSDChambers@nysd.uscourts.gov.

The Court will determine later, after receipt of plaintiffs' anticipated brief opposing a motion to dismiss the current or amended complaint, whether to schedule oral argument.

SO ORDERED.

A handwritten signature in cursive script, reading "Paul A. Engelmayer", is written over a horizontal line.

PAUL A. ENGELMAYER  
United States District Judge

Dated: April 21, 2022  
New York, New York

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<sup>1</sup> On April 19, 2022, the Court issued an order stating that the parties may submit a proposed schedule that alters intermediate deadlines but still provides for all briefing on defendants' motion to dismiss to be complete by June 14, 2022. Dkt. 52. As no such proposed schedule has yet been received, the briefing schedule issued March 9, 2022 still controls.